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Published March 8, 2007

[From Lansing State Journal]

Local news briefs

Moy gets life in prison for '06 murder

MASON - Steve Lee Moy, convicted of murder last month in the killing of his 13-month-old stepdaughter, was sentenced Wednesday to a mandatory life term in prison. Moy, 39, of Lansing, did not make a statement as he was sentenced by Ingham County Circuit Judge William Collette. Anishia Moy died Aug. 2, 2006, from internal injuries - including five broken ribs and a lacerated liver - caused by blunt force, according to forensic testimony during the trial. Defense attorney Roderick Porter said his client will appeal the conviction.



THE ANN ARBOR NEWS

Father sent to prison in son's death

8-month-old baby drowned in bathtub after father fell asleep

Thursday, March 08, 2007

BY ART AISNER

News Staff Reporter

An Ypsilanti man charged in the bathtub drowning of his infant son was sentenced Wednesday to a minimum of five years in prison, despite tearful pleas for leniency by the baby's mother.

Jason Levar Franklin will serve five to 15 years for involuntary manslaughter in the death of 8-month-old Jammael Franklin last July.

Both Franklin, 29, and his fiancée, Amanda Ward, asked Chief Washtenaw County Circuit Judge Archie Brown for mercy, saying they needed to be together to work through their grief as a family and to continue organizing an Internet-based support group in their son's name for families dealing with tragic losses.

"His children mean the world to him and this was an accident," said Amanda Ward, also mother to Franklin's other children, who were 2 and 3 years old at the time of the drowning. "He's suffered the loss of a child and we can only imagine what he sees when he closes his eyes. Please let Jason and our family grieve properly."

Franklin, who was wanted on drug and assault charges, has been incarcerated since the day he put all three siblings in a bathtub with the water running at the Harmony House Motel in Ypsilanti and then fell asleep watching television in another room.

Franklin pleaded no contest to the charge after one day of testimony at his January trial. A no contest plea is not an admission of guilt but is treated as such for sentencing purposes.

Assistant public defender Robin Stephens said Franklin on Wednesday waived attorney-client privilege and told the court he entered the plea because he could not bear to hear detailed testimony about his son's injuries.

In a subdued voice often interrupted by sobs, Franklin told Brown he takes responsibility for his actions that day, including giving officers a false name and denying paternity to the children when police arrived.

"I miss my son more than anything imaginable ... and I'd trade my life to get him back," he said, grabbing tissues with his shackled hands. "I apologize to him for my mistake every day."

While acknowledging the tragic loss, Brown reminded Franklin his most important responsibility as a parent is to provide for the safety of his children. "You failed that day," Brown said.

Prosecutors dismissed second-degree child abuse and drug charges and would not charge Franklin as a habitual offender as part of the plea agreement. Brown sentenced him to one to four years in prison on the unrelated drug and assault charges, which will be served concurrently.

Art Aisner can be reached at aaisner@annarbornews.com or 734-994-6823.

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Parents Of Conjoined Boys Face Abuse Charges

Minnesota Boys Born Together In November

POSTED: 10:54 am EST March 8, 2007

ROCHESTER, Minn. -- A Mankato couple was accused Wednesday of abusing their 4-month-old son, one of two conjoined twins who underwent separation surgery last fall at the Mayo Clinic.

Valerie J. James, 20, and Robert L. Heck III, 27, were charged with one count each of felony first-degree assault and aiding and abetting the alleged crime, said police Lt. Dan Muyres.

Reached at home Wednesday, Heck denied the allegations but said he would not comment further until he spoke with his attorney.

James gave birth to the boys -- named Jacob and Jordan -- in November. Joined face-to-face at the abdomen, they immediately underwent successful separation surgery.

It wasn't immediately clear which child was injured. One of the boys had remained in the hospital after the other boy was released Jan. 3 to his parents, who had been staying at a Ronald McDonald House in Rochester.

Police wouldn't identify the victim, and Mayo officials said privacy restrictions kept them from identifying the child discharged last month.

Blue Earth County has filed petitions against James and Heck in an effort to end their parental rights for the twins and an older daughter of the couple.

According to a criminal complaint, that boy was returned to Mayo Eugenio Litta Children's Hospital Jan. 11 because of some swelling.

Doctors found eight fractures of the boy's legs and 16 rib fractures. The complaint said some injuries appeared to have begun healing, while others were newer.

Doctors did a test to see if the boy had a genetic disorder that could cause his bones to be more susceptible to breaking, but the test came back negative, according to the criminal complaint. Muyres said a doctor told police it would take a large amount of force to inflict the injuries because of the flexibility of infants' limbs.

The complaint said a former girlfriend had obtained an order of protection against Heck in 2004 after she accused him of hurting her three children. The ex-girlfriend said her 3-year-old reported being struck by Heck; that her 18-month-old son suffered a broken leg and head bruises while in his care; and that her 3-month-old had burns on her fingers that doctors attributed to cigarettes.

Muyres said he had no other details on the order of protection.

An April 12 court date was set in the case. Both children were in supervised care away from the parents.

It wasn't immediately known whether the older child was still with the couple.

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March 8, 2007

Opinion: Leaders learn wrong lessons from foster-care deaths

Richard Wexler

In the months since the jury returned its verdict in the horrifying death of Ricky Holland, people have asked what lessons the state should learn to prevent such tragedies. If history is any guide, they'll be the wrong lessons. Because while other states have leaders who attack problems, in Michigan, it seems, they attack solutions.

What else can explain the bizarre response to the deaths not only of Ricky Holland, but also Isaac Lethbridge, and Allison Newman?

All three children died in licensed foster homes while in the care of strangers. All three might be alive if Michigan had a well-developed system of safe, proven alternatives to substitute care.

After more than a decade of stagnation, which left Michigan taking away children at rates far above those in model systems with outstanding safety records, the Department of Human Services finally is taking first steps toward real reform. It has confronted the problem of racial bias in child welfare, recognized the widespread confusion of poverty with child "neglect" and, most important, embraced a "waiver" of archaic federal funding rules that makes Michigan one of only two states that can take millions of dollars reserved for foster care and spend them on safe, proven alternatives instead.

But reform is under siege by those wedded to the take-the-child-and-run approach to child welfare that has caused so much misery for the state's children.

In Oakland County, the state's wealthiest, the Prosecutor's Office wages war against impoverished families, using horror stories about the few children who really do need to be taken away to terrify DHS into tearing apart families in cases nothing like the horror stories.

The result: Children are torn from their parents in Oakland County at a rate 50 percent above the state average. So either Oakland County is a cesspool of depravity, with 50 percent more child abusers than typical counties, or a lot of families are being destroyed needlessly.

A national organization that sues systems all over the country, has targeted the Michigan reforms. Even though all the recent tragedies occurred in licensed homes overseen by private agencies, the lawsuit seeks to give those agencies more power and more money to hold onto children who often could be safely in their own homes if their own parents got a fraction of that money. The suit says nothing about keeping families from being torn apart in the first place.

Who does the suit target? Grandparents who provide kinship care for children, because they're often "unlicensed." But that's not because their homes are unsafe. On average, kinship placements are not only more stable and nurturing than what should properly be called "stranger care," they also are safer. But kinship caregivers often are too poor to meet licensing standards geared to middle-class creature comforts.

DHS itself sometimes lacks the courage of its convictions. Many families are torn apart because impoverished parents can't find day care, leading to "lack of supervision" charges. So how does DHS respond to the death of Allison Newman? By shutting down her day care center because the director didn't report subordinates' suspicions of abuse.

The director has been criminally charged. That means one less childcare option -- and a lot more day care center workers around the state terrified into filing reports for little or no reason to protect not children, but themselves.

Worst of all have been the private agencies, the ones paid for each day they oversee placement of a child in foster care. Last year, some of them trooped up to Lansing to oppose the Family to Family program, which has an outstanding record of safely reducing the number of children in foster care and, when substitute care really is needed, placing children with relatives or neighbors. (Family to Family is an initiative of the Annie E. Casey Foundation, which also helps to fund my organization).

The agencies argued that children are better off torn from everyone they know and love and thrown in with strangers because the strangers live in better neighborhoods with better schools.

But that's exactly what we've been doing for 150 years -- with disastrous results for children, including dreadful educational outcomes. "Better" schools and fancy houses are no substitute for love.

These attacks on reform have one thing in common: They make children less safe. Of course most foster parents don't harm the children in their care; many are true heroes. But in one recent study, one-third of former foster children said they'd been abused by a foster parent or another adult in a foster home. That study found that overall, only one in five former foster children was doing well.

Other studies have found even worse outcomes from group homes and institutions -- so forget about going back to the orphanage; that will only make everything worse.

And the more that systems are overwhelmed with false reports and trivial cases, the less time workers have to find the children in real danger who really should be taken from their homes.

None of this means DHS should be let off the hook. The reforms are first steps on a journey of a thousand miles. The agency should be under intense pressure to continue the reform effort.

Instead it's under intense pressure to go back to the Dark Ages, and shovel more children into a system that churns out walking wounded four times out of five.

Richard Wexler is executive director of the National Coalition for Child Protection Reform in Alexandria, Va. E-mail comments to

Michigan Report

March 7, 2007

Oakland County: New foster care billing

Oakland County's Department of Human Services office, often at odds with county officials over late foster care bills, has instituted a new computer-based billing system. The system, modeled after one in Wayne County, should expedite the process. Last year, Oakland refused to pay more than \$400,000 in foster care bills because they weren't submitted within a certain time frame.

Michigan Report

March 7, 2007

D.H.S. USES J.E.T. TO NEAR WELFARE-TO-WORK TARGET, SAVE MILLIONS

Now that the Department of Human Services has found a loophole in federal law that drops its welfare recipient work requirements from 50 percent to 27.7 percent, Michigan is only a few percentage points away from meeting its federal target.

With 24.2 percent of people on assistance working as of last fall, DHS can still get all of its federal Temporary Assistance to Needy Families funding if it reaches the 27 percent mark.

But the department is still actively pursuing a 50 percent target, since the loophole will most likely be closed by next quarter, department spokesperson Donald Mussen told the House Families and Children's Services Committee on Wednesday.

Starting in January, DHS expanded the Jobs Education and Training program to 25 more sites, which now serves 50 percent of the population that gets federal funding. The department is banking that the increased work participation at those sites will have a positive impact on overall state participation rates this year.

At the four original JET sites, which served 10 percent of the people who get federal funds, the percentage of people with jobs was 30.8 percent, more than 6 percent higher than the general welfare population.

More than 239,700 of the million Michigan residents in poverty receive an average of \$489 a month in cash assistance.

Of those people, 50,367 have been on cash assistance for four years or longer. More than half – 36,831 – of those recipients are children.

The goal is to have 50 percent of the people on assistance who have the ability to work to do so by September, Mr. Mussen told the committee.

That's expected to happen gradually, with quarterly rates going from 24 to 30 to 38 and finally to 50 percent.

Beyond helping people get work, the JET program also seems to be holding down the number of people on assistance.

In 2006, JET sites had a 3 percent increase in caseloads, while the rest of the state saw a growth of 11 percent.

DHS also plans to screen recipients using the JET program beginning in April 2007.

Clients who apply for assistance who are required to work will be sent to Work First (the old model of welfare to work) or JET before DHS will open a cash assistance case.

However, those who qualify would still receive emergency needs, transportation, food and childcare assistance while they finish their work requirement.

Mr. Mussen said that policy would save DHS a projected \$4.8 million in FY 2007 and \$9.6 million in FY 2008.

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County health department lays off workers

By GARY GOULD Argus-Press Staff Writer

Wednesday, March 7, 2007 10:08 AM EST

Eight employees of the Shiawassee County Health Department have been laid off and more cuts in the department could happen in the weeks ahead after the state cut Medicaid funding to the department's largest program.

Health Department Director George Pichette told the Shiawassee County Board of Commissioners Tuesday he has been forced to cut \$500,000 from his department's \$3 million annual budget because of a dispute between the state of Michigan and the federal government over funding of its Maternal and Infant Care program.

The program, funded through Medicaid, allows eligible pregnant women in the county to receive at-home visits from nurses, social workers and nutritionists throughout their pregnancy.

Pichette said the reason for the cut in state funding is due to a federal audit which disagrees with the way the state reimburses the counties for the program. Because the state caps the amount HMOs have to pay to provide services, Medicaid will now only pay about half of what it was funding to the program.

"The state is contesting it, but it may take months or years to work it all out," he said. "In the meantime we are operating a program which we are going to lose a ton of money on.

"This is alarming. It has become our largest program at the urging of the state," Pichette told the board of commissioners. "I cannot recommend we continue this program when the state is saying funding will have to wait until the audit is cleared up."

The cut in funding prompted Pichette to lay off one-quarter of the health department's staff on Friday, with two unfilled positions that will now remain vacant. He said there is also a reduction in administrative costs and other adjustments to his budget that will keep the loss in revenue from creating a deficit.

Commissioner Jamie Pavlica said he wants the board to approve a resolution at its Thursday meeting urging the state to act.

"There are still families out there who seek these services," he said.

County Administrator Margaret McAvoy said she agrees the board should send a resolution to Lansing asking the state to do something to resolve the funding crisis.

"This is an example of local government doing a good job providing local services," she said. "Unfortunately, this is an issue between the state and Medicaid over funding. It's not a reflection on the health department or the county."

Pichette said he's been in contact with Gov. Jennifer Granholm, Sen. Valde Garcia (R-Howell) and Rep. Richard Ball (R-Owosso). A letter to Granholm has not yet earned a reply, but he said Garcia and Ball have indicated they are aware of the situation.

Many other health departments in the state are in a similar situation and many are also making cuts, he added.

The cuts are not only bad for the employees, but Pichette fears it will hurt the health department in the long run.

"It kills me to have to lay off nurses - they're hard to recruit," Pichette said. "We're going to lose more employees because they will see their jobs as threatened and they'll look elsewhere for work."

The county board is expected to approve a resolution asking the state to press for a return of funding on Thursday.

The number of women using the program was not available at Tuesday's board meeting.

March 8, 2007

Homeless Families in City Shelters Hit Record, Despite the Mayor's Efforts

By TRYMAINE LEE

The number of homeless families living in New York City shelters reached a record high last month, halfway into the Bloomberg administration's five-year plan to reduce homelessness by two-thirds, according to a report released yesterday by an advocacy group using city figures.

Last month's total, 9,287 families, was the highest since the city started keeping and publicly releasing such figures in 1979, according to the group, the Coalition for the Homeless.

When Mayor [Michael R. Bloomberg](#) announced his plan on homelessness in August 2004, the number of homeless families was 8,850 and his goal was to lower that to 7,400 by this point.

The data also showed that while more homeless families were seeking refuge in city shelters, the number being moved into permanent housing fell last year by 11 percent compared with 2005.

The report comes at a time when the amount of housing affordable to low-income residents continues to shrink and the gap between average income and rent continues to grow, advocates for the homeless said.

In preparing its report, the coalition used figures from the city's Department of Homeless Services. The agency did not dispute the data or the findings, but an agency spokeswoman said that the mayor's plan was a work in progress and that it might need to be adjusted.

The spokeswoman, Tanya Valle-Batista, also accused the coalition of being more interested in seeking publicity than helping address the problem.

"While the rest of the nonprofit community is working with the city to address these issues, the coalition continues its opportunistic efforts to generate headlines," Ms. Valle-Batista said in a statement.

The figures show that the city should rethink its strategy to move people into permanent housing, the coalition said. Much of that strategy focuses on a city program started in 2004 that replaced many of the federally subsidized housing programs that had been used to shift homeless welfare recipients into permanent housing.

But a little more than two years into the plan, the number of homeless in shelters is up nearly across the board, exceeding 35,000. In February 2006, according to the report, the total number of homeless New Yorkers in shelters was 31,472 and rose 11.1 percent to 35,252 by last month, according to the report. The number of homeless families in February 2006 was 7,805, rising 17.6 percent to 9,287 by last month, the report said. The number of homeless children in February 2006 was 11,925, and went up 18.1 percent

by last month, to 14,287.

The one piece of good news cited by the report was a decline last year, for the second year in a row, in single adults living in shelters.

Patrick Markee, senior policy analyst for the Coalition for the Homeless, said flaws in the mayor's program, called Housing Stability Plus, kept it from meeting its goals.

"The flaws in the mayor's program have clearly made it hard for families in shelters to get safe and affordable housing," he said.

One major problem, he said, is the 20 percent annual reduction in housing subsidies, which is intended to encourage participants to find better-paying jobs.

"This is a subsidy program that cuts the value of the housing subsidy by 20 percent each year, regardless of a family's circumstance," Mr. Markee said. "It serves as a work disincentive, and effectively prohibits families from gaining employment income because that would cut them from welfare."

As a result, Mr. Markee said, some participants' jobs exclude them from being eligible for welfare. In the meantime, their housing subsidies are cut, leaving them unable to pay rent and, often, sending them back into shelters, Mr. Markee said.

The Department of Homeless Services is planning to make adjustments in its housing subsidy program, Ms. Valle-Batista said. She said the coalition's findings on homeless families were accurate, but noted that, unlike other large cities, New York defines families as including single parents and couples with no children.

Ms. Valle-Batista also said that the rise of homeless people in shelters meant, in one sense, that the city was doing its job by not turning people away.

Arnold S. Cohen, president and chief executive of Partnership for the Homeless, said that rather than simply being critical of the mayor, the coalition's findings highlight the growing inequality in New York.

"This is the story about the other New York," he said, "another city of unimaginable poverty. I don't think we should ever look at this as a failure. This is an opportunity to learn from our past."

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Display profiles children waiting for adoption

ESCANABA — “What I want for myself in this life is a family...”

The statement above was made by 16 year-old Danielle, who is waiting to be adopted. Today in Michigan there are more than 4,000 children without families. Most of these children are not newborns or infants, but older children; many live with the trauma of abuse and neglect, have medical issues, or need special help.

Some of the children waiting to be adopted are featured in a photographic exhibit called the Michigan Heart Gallery. The 2007 Michigan Heart Gallery will be on display from March 1 through 29 at the William Bonifas Fine Arts Center, 700 1st Ave. S., Escanaba. An exhibit opening will be held Friday from 3-5 p.m. at Bonifas.

A mini version of the main Heart Gallery exhibit will be on display in March at several locations in Dickinson and Iron counties.

The Michigan Heart Gallery is a collaborative effort between the Michigan Adoption Resource Exchange, the Adoptive Family Support Network, and the Michigan Department of Human Services. The Michigan Heart Gallery features professional photos of some of Michigan's waiting children, who come from various regions of the state.

Recruitment activities such as the Heart Gallery remind people that there are many children in Michigan who are waiting to be adopted.

“Most of the children featured in the Heart Gallery have been waiting for a long time to find a family of their own,” Marianne Udow, director of the Michigan Department of Human Services, said. “While we hope children featured in the exhibit will find families, the larger goal of the Heart Gallery is to promote the idea of caring for and adopting children from the foster care system. We know from experience that if these children are not seen, and if we do not continue to educate the public about older children, who need families, then they may be forgotten. The Heart Gallery is an amazing undertaking and we are thrilled the public will have an opportunity to view these portraits, get to know the children and possibly take action to see if adoption may be right for them.”

Another piece of the Heart Gallery is a small sampling of portraits of successful adoptive families. The Heart Gallery features three families that have opened their hearts and homes to children from the foster care system.

“These families show others that it is possible to build a wonderful family through adoption,” Udow said. “Despite the rough times they might have faced in the past, they prove how much love and care can do for these children.”

For more information about the Michigan Heart Gallery call (800) 589-6273 or visit the Michigan Heart Gallery Web site at **www.miheart.org**



Some diversity OK in Prop 2

Efforts permitted, rights officials say

March 8, 2007

BY DAWSON BELL

FREE PRESS STAFF WRITER

State programs involving foster care, collective bargaining and even tax policy may have to change to comply with Proposal 2, the constitutional amendment voters passed in November to bar the use of race and gender by schools and government agencies, state civil rights officials said Wednesday.

A review of 45 programs that might run afoul of the law identified only eight as problematic, but the officials said the measure won't end affirmative action or efforts to promote race and gender diversity in state government.

Among programs identified as in potential violation are those that grant money specifically to black and Hispanic college students majoring in K-12 education or enrolling in medical schools.

The state Civil Rights Commission on Wednesday approved the report, which was prepared for Gov. Jennifer Granholm by the Department of Civil Rights.

State Attorney General Mike Cox, while not disagreeing with the report's broad conclusions, questioned the value of producing it in the first place.

The Attorney General's Office is "solely responsible for providing legal representation" to state government agencies, said Cox spokesman Rusty Hills. Cox plans to defend Proposal 2 vigorously, Hills said.

Civil Rights Director Linda Parker said the report is intended to give government agencies guidance on how to comply with Proposal 2 while continuing to "promote diversity and equal protection."

A Granholm spokeswoman said the governor was "pleased with the work that has gone into" the report and will take it under review.

The eight programs identified as problematic are collective-bargaining agreements, the Commission on Spanish Speaking Affairs, foster care, higher education, minority- and women-owned businesses, minority student grants, Single Business Tax credits and special-needs adoption.

But at least some of the possible conflicts identified in the review do not exist, state officials said Wednesday.

A federal court almost 20 years ago struck down a state law requiring set-aside guarantees for women- and minority-owned businesses in state government purchasing and contracting. And provisions of federal foster care and adoption guidelines that authorize special subsidies for parents of children from minority groups -- cited by the report as in conflict with Proposal 2 -- are not used in Michigan, said Department of Human Services spokeswoman Maureen Sorbet.

Parker told the commissioners Proposal 2 "does not eliminate all affirmative action."

The report suggested that some programs designed for women and minorities could be maintained without using preferences. Others that provide specific preferences for women or minorities can be preserved because the amendment contains an exemption for programs required to maintain federal funding, she said.

"She's so busy that sometimes I have to say, 'Stacey, you need to slow down,'" Bush said. "She always tells me, 'Mom, I want to make a difference,' and I tell her to look at what she's already done."

Award

- Charles Stewart Mott Foundation's Leadership Academy Award

In February, Stacey was awarded the Margaret Lochman Scholarship by Priority Children, beating out 26 other applicants.

Krug said she learned more about Stacey's history after she received the scholarship and asked if she could help Priority Children when it comes to its dealings with foster children.

"She was so excited about the possibility that she may be able to help give back to kids who are stuck in the system," Krug said. "She could really help them out."

Stacey knows what such youngsters are going through.

She and her half-sister, Sara, were placed under the supervision of what was then the Oakland County Family Independence Agency in 1992 after being abused and neglected by their biological mother and her boyfriends. The girls have different fathers.

Sara, whose father is black, came to live with Bush in 1995. Bush later adopted Sara and took in Stacey - whose father is white - in April 1997.

The state contested Bush's effort to adopt Stacey after an outside agency expressed concerns, which led Bush to file a federal civil rights lawsuit. Amid widespread media attention, the adoption was approved in early 1998.

And that changed Stacey's life.

But the road to awards and college wasn't easy for Stacey after the adoption.

When the family went out in public, mother and daughter said they were given dirty looks and heard snide remarks.

As she became involved in school activities - she began tutoring and served as president of UNITE, a diversity group at Grand Blanc High School- people started adapting to her, and things began to change.

"The kids at school learned more about me, and were more accepting," Stacey Bush said. "Before, it was a lot of, 'Who's this girl? Why is she trying to act black?'"

She said her background has given her an edge.

"It doesn't matter what color you are," she said. "I actually think it gave me an advantage because I experienced both worlds."

The looks continue sometimes, but not as frequently as they did before, especially for Bush.

"When I walk into Grand Blanc High School, people look at me differently," she said. "They look at me as 'Stacey's mom.' ... You can see the attitude change."

Stacey said her mother gets a lot of the credit for her achievements.

"Things have been going great. My mother has helped me along the way. She gave me the tools to succeed," she said.



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Set-aside contracts in the Departments of Transportation and Environmental Quality meet those criteria, and the state should expand efforts to find other sources of federal funding tied to race- and gender-based affirmative action mandates, Parker said.

Proposal 2 spokesman Max McPhail, who attended the commission's meeting, said the outlines of the report were good but he disagreed with Parker about the two departments' programs.

McPhail said backers of Proposal 2 said during the fall campaign that not all forms of affirmative action are prohibited, only those that discriminate.

"Now they agree with us."

Contact **DAWSON BELL** at 313-222-6604 or dbell@freepress.com.

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March 7, 2007

HOUSE ENERGY LOOKS AT FUNDING FOR HEATING CREDITS

With threats looming that the federal government may cut funding for home heating credits to the poor, increased funding for the subsidies could come to residents in the form of a check-off box on state tax returns if two bills discussed in the House Energy and Technology Committee on Wednesday gain approval.

[HB 4280](#) would allow taxpayers to contribute \$5 or more to the Home Heating Credit Fund through a check-off box where they would give up a portion of their refund or increase their liability by their donation amount.

[HB 4064](#) would establish the fund for the credits that would get contributions from state tax designations and from oil and gas severance taxes.

The state doles out about \$69 million annually in home heating credits already, mostly in federal funds.

According to the House Fiscal Agency, a check-off box could raise between \$500,000 and \$1.5 million for the credit.

The committee referred out two resolutions on the subject urging the federal government to restore heating subsidies to at least last year's level.

[Rep. Kate Ebli](#) (D-Monroe) offered [HR 33](#) and [HCR 5](#), which ask that funding for the Low Income Home Energy Assistance Program be brought back to at least last year's level of \$3.2 billion.

Congress appropriated \$1.98 billion this year for the program and the executive budget has proposed further cuts for 2008 with a suggested appropriation of \$1.78 billion.

As for increasing state funding by using tax returns, since there are already three check-off boxes on state tax forms, adding one more could increase the possibility for errors and increase administrative costs for the Department of Treasury.

However, legislation introduced in the Senate, making the boxes a separate schedule on taxes, could alleviate problems, a department spokesperson said.

Because of the newly introduced Senate measure Rep. Frank Accavitti, (D-Eastpointe), chair of the committee and sponsor of one of the bills, said he wanted to wait to refer the bills out of committee until he had time to adjust his legislation to account for the Senate legislation's impact.

Michigan Report

March 7, 2007

JOBLESS RATE DROPS AS LABOR FORCE HOLDS STEADY

The state's unemployment rate dropped slightly in January from the month before, and while that reflected an overall climate in which total estimated employment increased, but the number of payroll jobs fell by another 24,000, the Department of Labor and Economic Growth reported Wednesday.

The seasonally adjusted rate was 6.9 percent, down from a revised 7.2 percent level in December, and is the lowest since July. That's still substantially higher than the national average of 4.6 percent for the month, which increased by .1 percentage point.

Compared to a year ago, the economic measuring stick showed worsening conditions: unemployment that is .1 percentage point higher and 67,000 fewer payroll jobs, to a new level of 4.301 million. And over the last four years, the average annual unemployment rate has hardly budged: 6.8 percent in 2005, 7 percent in 2004 and 7.1 percent in 2003.

"Continued losses in Michigan's manufacturing sector have hampered the ability of the state to show net job gains," said Rick Waclawek, director of DLEG's Bureau of Labor Market Information and Strategic Initiatives. "Additionally, Michigan began shedding construction jobs in 2006 due to the national housing slump."

It was the construction sector, which officials noted had been stable from 2003 to early last year, which was responsible for 3,000 of the payroll losses in January, with a total loss over the year of 13,000 to 173,000. Worse losses were registered in manufacturing with a decline of 8,000 jobs for the month and 42,000 over the past year, to 623,000 and trade/transportation/utilities, which declined by 6,000 for the month and 13,000 over the past year to 787,000.

Education and health services and professional/business services recorded the first monthly decline in payroll jobs since the middle of last year, while the only sectors to show no declines were government, information and natural resources/mining. However, over the year, education and health services was the only sector showing a significant gain in jobs: up 9,000 to 589,000.

Total estimated employment increased by 14,000 to 4.733 million and unemployment declined by 15,000, resulting in no real change in the state's labor force over the month.

The labor force held steady during the month, dropping by 1,000 persons to 5.084 million, which was 3,000 more than a year ago.

The seasonally adjusted rate in the Detroit-Warren-Livonia Metro area dropped by .3 percentage points to 7.3 percent over the month, as both the labor force and total

employment expanded. But compared to a year ago, the area's unemployment rate was up by .2 percentage points to 7.3 percent.

Republican Party Chair Saul Anuzis, who used the report to again criticize Governor Jennifer Granholm's proposed tax on services and other tax increases, zeroed in on the number of lost payroll jobs, calling that trend "a horrible reminder of the dire economic conditions facing our state. Michigan is hemorrhaging and Granholm has no idea how to stop the bleeding."

Dems Fast Gavel I.E. On Supplemental

MIRS, March 7, 2007

Today, the House Democrats used a fast gavel to give immediate effect (I.E.) to **SB 0166**, legislation that would provide about \$87 million to balance last year's (2006) budget.

The question now appears to be whether the GOP-controlled Senate goes along with the House Democratic version that moved today or insists on reinserting the tie-bar to **SB 0184** —the bill that has been the main point of contention involving **SB 0166** between the two political parties from the get-go.

Meanwhile, the fast gavel today marked the first time the caucus has used the power of the gavel to ram something through over the protests of the minority party. Using the procedure would hardly be newsworthy had House Speaker Andy **DILLON** (D-Redford Twp.) not pledged that the House under his rule would honor the rules of the chamber.

This afternoon, however, the long-held traditions of the chamber (which take it for granted that majority parties sometimes bend procedures to get things done) won out. It should also be noted that such procedural issues have almost no play in the news media outside of the immediate 10 square block area of the Capitol.

Nonetheless, the Republicans were quick to point out the Democrats were using a tactic they had scolded recent Republican majority caucuses for using.

"And this comes exactly two months after the beginning of the new bipartisan session," deadpanned Matt **RESCH**, spokesman for House Republican Leader Craig **DeROCHE** (R-Novi).

Recall that a major part of the Democrats' complaints about Republican House control last year was the claim that they weren't being afforded the chance to even debate some issues. Following the quick gavel, Dillon spokesman Dan **FAROUGH** pointed out that the Democrats had allowed a full debate on the issue prior to using the tactic.

"We've allowed the minority ample opportunity to voice their position," Farough said. "But we're not going to allow them to hold state troopers and the Department of Corrections hostage for political purposes."

Interestingly, Republicans reacted to the maneuver with bemusement rather than outrage. It was almost as if Dillon's use of the fast gavel today was to an extent vindication that their caucus hadn't been as heavy-handed last session as the Democrats had claimed.

SB 0166 initially would have appropriated just shy of \$70 million to pay for the cost overruns of three departments (State Police, Department of Human Services and Corrections) spent at the end of last year.

SB 0166 was passed by the Senate on Valentine's Day but in a form that included a tie-bar to **SB 0184**, which would require additional oversight measures to monitor department spending. As soon as the bill reached the Democratic-controlled House, the House Appropriations Committee stripped out the tie-bar.

When the bill was brought up on the House floor, the Democratic majority passed it, but Republicans refused to give it I.E. unless the tie-bar to **SB 0184** was restored, (See "GOP Withholds I.E. On Supplemental," 02/27/07.)

Until today the House Democrats were very respectful of their pledge to stick to fundamentalist interpretation of rules of the House. Today they added \$17 million to supplemental for regional airports and the DOC, and there was some hope the airport dollars might bring some Republicans over in favor of the bill and in favor of I.E. vote. It didn't.

Debate over passage of **SB 0166** featured an entertaining back-and-forth between House Appropriations Committee Chair George **CUSHINGBERRY** (D-Detroit) and Rep. Jack **BRANDENBURG** (R-Harrison Twp.)

Brandenburg opened with a statement about hoping that in the future the department would be held more accountable.

Brandenburg was followed up by Rep. Jack **HOOGENDYK** (R-Kalamazoo) who argued that the real problem is the "apparent refusal on the part of the administration to admit that the departments has broken the law."

"The fact is that in 14 of the last 15 years ended with budgets that required some kind of adjustment," Cushingberry said. "To quote a great Shakespeare play, this is 'Much Ado About Nothing'."

Brandenburg shot back with — "I'm into Longfellow, not Shakespeare." He then went on to state that once departments are allowed to overspend their budgets the amount could be \$7 million, \$70 million or \$270 million.

Cushingberry stayed on the theme — "I don't care if it's [Henry] Wadsworth **LONGFELLOW**, William **SHAKESPEARE** or Tupac **SHAKUR**," he said, and then continued to argue that the issue was that the departments had to be funded, otherwise vendors would remain unpaid and leave, and that the state's bond rating might even be affected because it hadn't paid its bills.

After the voting board was cleared, House Majority Floor Leader Steve **TOBOCMAN** quickly called his motion for I.E. and House Speaker pro-tem Michael **SAK** (D-Grand Rapids) gavelled it through.

Tobocman told reporters that today would be the last possible day to get the legislation

done, apparently due to the timing issue involved with departments adjusting budgets.

However, Resch has insisted all along that the Governor can close the books on a fiscal year without them being balanced.

MIRS asked Tobocman why the Democrats would risk all the things they claimed were needed in **SB 0166** over the question of the tie-bar to **SB 0184**.

"**SB 0184** would actually weaken the reporting process," Tobocman said.



Agency's black workers claim bias

Thursday, March 08, 2007

By Jim Harger

The Grand Rapids Press

GRAND RAPIDS -- A group of black employees at the Kent County Department of Human Services has told two county commissioners they are being harassed and discriminated against because of their race.

Although commissioners Paul Mayhue and James Vaughn have shielded their identifies, longtime employee and union representative Juanita Glover said Wednesday she is willing to speak out.

"Sometimes, it's like being on a plantation," Glover said of the office environment being experienced by black employees. "It is like being beaten, tied to a tree, your foot's chopped off and you're called Toby," she said, referring to the movie, "Roots."

The allegations raised by Mayhue and Vaughn include:

- Black workers were not offered protection when they were threatened by clients, while extra security measures were put in place for white employees who were threatened.
- A black worker was called a "good old boy" by a white staffer.
- Few blacks are promoted to supervisory jobs.
- Complaints against black workers are disproportionately high.

Julie Guevara, acting chairwoman of the Kent County Human Services Board, responded by ordering department Director Andrew Zylstra to meet with the county commissioners and report back to the board.

That meeting will occur Friday, she said.

"I'm taking them very seriously," Guevara said of the allegations. "We need to talk this through and see what we can do to change this kind of environment."

Zylstra said Wednesday most of the allegations raised by Mayhue and Vaughn have been resolved as they have come up in recent years.

"Any charges like these you take seriously," Zylstra said. "Whether they are valid or not, I'm sure they are valid to the people making the accusations."

His department is not disproportionately white, Zylstra said. "When you look at our numbers, we look good. I'm very proud of where we are."

More than 26 percent of the department's 409 employees are minorities, according to a recent survey. And of its 38 supervisors, five are minorities.

The department is a state agency that administers welfare benefits and programs to more than 40,000 recipients per month.

Zylstra believes some employees went to Mayhue and Vaughn because they had exhausted formal

channels for their complaints.

"It's kind of a last-ditch effort to try and get attention," he said. "I'm sure from their perspective, they don't think anyone is listening."

Mayhue, D-Grand Rapids, declined to identify any of the 10 employees who complained to him and Vaughn.

While he had few details about the allegations, Mayhue said he felt they needed to be addressed. "I felt confident enough to put it to pen and paper and put it on commission letterhead," he said.

Mayhue said he was pleased by Guevara's response to his concerns. Vaughn was not available for comment.

Glover, a 28-year employee and steward with United Auto Workers Union Local 6000 for the past eight years, was not one of the complainants but said blacks in the local agency feel oppressed on all fronts.

"We have the same education that everybody else does, yet we have to do just one more step. We still have to jump through the hoops and do the old soft shoe.

"It has been going on, and I don't understand why management hasn't noticed," she said.

Glover said she blames Zylstra for the problems. "In my opinion, it always starts at the top. Management has to set an example for the people under them."

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News Release

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Michigan Department of Human Services Summarily Suspends the Day Care Center License Number DC820254266 of W.I.N.N.E.R.S.' L.L.P.

March 8, 2007

The Michigan Department of Human Services (DHS), Office of Children and Adult Licensing issued an order of summary suspension and notice of intent to revoke the license of Wayne County day care center licensee W.I.N.N.E.R.S.' L.L.P., 22935 Eureka Road, Taylor, Michigan. This action resulted from a recent investigation of a complaint of the day care center.

The March 6, 2007 complaint investigation found violations of the Child Care Organizations Act and administrative rules regarding maintenance of premises and licensee requirements. OCAL took emergency action to protect the health, welfare, and safety of children.

Effective 6:00 p.m., March 7, 2007, the Summary Suspension Order prohibits W.I.N.N.E.R.S.' L.L.P. from operating a day care center at 22935 Eureka Road, Taylor, Michigan or at any other address or location. Accordingly, she may not accept children for care after that date and time. The order also requires Ms. Cheryl Collins, the licensee designee, to inform all of the parents of children in her care that the license has been suspended and that the center can no longer provide day care.

W.I.N.N.E.R.S.' L.L.P. has held a license to operate a day care center since March 21, 2003. The license was for 60 children.

Michigan law defines a day care center as a "facility, other than a private residence, receiving 1 or more preschool or school-age children for care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. Child care center or day care center includes a facility that provides care for not less than 2 consecutive weeks, regardless of the number of hours of care per day..."

For more information, consult DHS Web site at www.michigan.gov/dhs.